

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

VI DIMON,

Plaintiff and Appellant,

v.

COUNTY OF LOS ANGELES,

Defendant and Respondent.

B202409

(Los Angeles County
Super. Ct. No. BC365770)
(Peter D. Lichtman, Judge)

ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]

THE COURT:*

It is ordered that the opinion filed herein on September 16, 2008, be modified as follows:

On page 4, footnote 5 should be changed to read as follows:

Section 2699 is part of the Private Attorneys General Act of 2004 (PAGA). (Labor Code, § 2698.) The cause of action for civil penalties is derivative of plaintiff's claim that the County violated section 512. PAGA "was adopted to empower aggrieved employees, acting as private attorneys general, to seek civil penalties for Labor Code violations, penalties which previously could be assessed

only by state agencies.” (*Dunlap v. Superior Court* (2006) 142 Cal.App.4th 330, 336.)

There is no change in the judgment.